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December 18, 2019

VIA ECF and EMAIL

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

Re: *Lieble et al. v. Maison Kayser et al.*,
Case No. 18-cv-11150 (KPF)

Dear Judge Failla:

We represent Defendants in the above-referenced matter. We write to request an extension of time on the deadline to provide the Court with a joint-letter update related to the discovery disputes from the November 7, 2019 Pre-Trial Conference, which is due today. *See* Docket No. 105. This is Defendants first request for such extension and Plaintiffs consent to an extension for purposes of allowing Defendants to collect information and formulate a position on a proposed pre-certification discovery sample size.

While the parties appear to agree on the possibility of a mediation to avoid costly motion practice and conducting depositions in January or February of 2020, the parties have not yet discussed the sample size issue for pre-certification discovery. Defendants have attempted to gather information necessary for discussing this issue in good faith, but additional time is required to collect sufficient information for formulating a position on a pre-certification discovery sample size.

The extension until December 23, 2019 will allow Defendants enough time to gather sufficient information, to formulate a position on sample size for pre-certification discovery based on this information, discuss this position with Plaintiffs, and conclude if this issue can be resolved or if an impasse is reached on this issue.

We thank the Court for their time in addressing this matter.

Respectfully submitted,



Christine L. Hogan

cc: Counsel of Record (via ECF)

Application GRANTED. If the parties wish to participate in mediation, they may advise the Court accordingly.

Dated: December 18, 2019
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE